

41-12a-302. Operating motor vehicle without owner's or operator's security -- Penalty.

(1) (a) Except as provided in Subsection (1)(b), an owner of a motor vehicle on which owner's or operator's security is required under Section 41-12a-301, who operates the owner's vehicle or permits it to be operated on a highway in this state without owner's security being in effect is guilty of a class B misdemeanor, and the fine shall be not less than:

- (i) \$400 for a first offense; and
- (ii) \$1,000 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

(b) A court may waive up to \$300 of the fine charged to the owner of a motor vehicle under Subsection (1)(a)(i) if the owner demonstrates that owner's or operator's security required under Section 41-12a-301 was obtained subsequent to the violation but before sentencing.

(2) (a) Except as provided under Subsection (2)(b), any other person who operates a motor vehicle upon a highway in Utah with the knowledge that the owner does not have owner's security in effect for the motor vehicle is also guilty of a class B misdemeanor, and the fine shall be not less than:

- (i) \$400 for a first offense; and
- (ii) \$1,000 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

(b) A person that has in effect owner's security on a Utah-registered motor vehicle or its equivalent that covers the operation, by the person, of the motor vehicle in question is exempt from this Subsection (2).

Amended by Chapter 132, 2007 General Session